

NHSLC - BUREAU OF ENFORCEMENT - AGENDA
WEDNESDAY, JULY 30, 2008

1. SUSPENSIONS:

a. Action Pending:

None

b. Licensees Suspended For Non-Payment of Fines:

None

c. Licensees Suspended For Non-Compliance of RSA 178:2 (Mandatory training within 45 calendar days of the issuance of liquor license):

1. Pear Mountain Cafe, 644 Route 16/302, Bartlett, NH.
Combination License #1359703 licensed pursuant to RSA 178:18.
Suspension effective July 14, 2008 at 12:01 am.
License re-granted effective July 16, 2008 at 1:00 pm.

2. LICENSEES WHO MAY BE ORDERED TO A HEARING:

None

3. HEARINGS SCHEDULED FOR WEDNESDAY, JULY 30, 2008:

None

4. HEARINGS SCHEDULED:

None

5. HEARINGS WITH DATES TO BE DETERMINED:

None

6. PENDING CASES:

None

7. WARNING LETTERS/FINES:

- a. Hollis Village Grocery, 1 Main Street, Hollis, NH.
Combination License #3037447.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an underage person during a compliance check.
Date of violation: June 27, 2008.
Recommendation: \$500 Administrative fine and four (4) points assessed to the liquor license.
- b. Langworthy Farm, 308 Shore Road, Westerly, RI.
Direct Shipper License #8119833.
Licensed under RSA 178:27.
Cited for violation of RSA 178:27, V - did fail to file the May 2008 Direct Shipper Report by June 10, 2008.
Recommendation: Verbal Warning.

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- c. Liquid Hockey, 23 Amherst Street, Manchester, NH.
Restaurant Full Service With Lounge License #1295303.
Licensed under RSA 178:22, V(q).
Cited for violation of RSA 179:27, II - did serve or consume alcoholic beverage in areas not approved by the Commission.
Date of violation: May 25, 2008.
Recommendation: \$250 Administrative fine.
- d. Slims Tex Mex, 45 North Main Street, Rochester, NH.
Restaurant Full Service With Lounge License #1230603.
Licensed under RSA 178:22, V(q).
Cited for violation of RSA 179:51 - did fail to maintain an orderly premises.
Date of violation: May 8, 2008.
Recommendation: Letter of Warning.
- e. Sunshine Cherry Garden Restaurant, 149 Emerald Street, Keene, NH.
Restaurant Beverage and Liquor License #1332203.
Licensed under RSA 178:21, II(a)(1).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an underage person.
Date of violation: April 3, 2008.
Recommendation: \$500 Administrative fine, four (4) points assessed to the liquor license, the license to sell alcohol suspended for three (3) days and held in abeyance for twelve (12) months pending no like violation, and mandatory attendance at a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of adjudication for all servers who have not attended since the date of the violation.
- f. Xtra Mart, 779 Lafayette Road, Seabrook, NH.
Combination License #3133147.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an underage person.
Date of violation: May 23, 2008.
Recommendation: \$1,000 Administrative fine with \$500 suspended for twelve (12) months pending no like violation, four (4) points assessed to the liquor license, and the license to sell alcohol suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing August 6, 2008 with re-grant on August 9, 2008.

8. NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

- a. Artiste Winery, 3569 Sagunto Street, Santa Ynez, CA.
Direct Shipper License #8099033.
Licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V - did fail to report the May 2008 shipments to the Commission.
ADMINISTRATIVE FINE \$100 PAID.
- b. Charter Food, 69 Epping Street, Raymond, NH.
Combination License #81647.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 7/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

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- c. Eastgate Inn, Bar & Grill, 335 Cottage Street, Littleton, NH.
Hotel Full Service Restaurant With Lounge License #355702.
Licensed pursuant to RSA 178:22, V(k).
Cited for violation of RSA 179:53 - did fail to notify the Commission of alterations to the licensed premise.
ADMINISTRATIVE FINE \$250 PAID.
- d. Fang Chen's Restaurant, 122 East Broadway, Derry, NH.
Full Service Restaurant License #1184703.
Licensed pursuant to RSA 178:21, II(a).
Cited for violation of RSA 179:27 - did allow alcoholic beverage to be served/consumed in areas not approved for service.
ADMINISTRATIVE FINE \$250 PAID.
- e. Flambeaux Bar & Grill, 1181 Elm Street, Manchester, NH.
Restaurant Full Service With Lounge License #1342103.
Licensed pursuant to RSA 178:22, V(q).
Cited for violation of RSA 179:17 - did serve and allow consumption of alcoholic beverage after the expiration of the legal hour of service/consumption.
ADMINISTRATIVE FINE \$250 PAID.
- f. Fody's, 9 Clinton Street, Nashua, NH.
Restaurant Full Service With Lounge License #1264903.
Licensed pursuant to RSA 178:22, V(q).
Cited for violation of RSA 179:40 - did refill bottles of legally purchased alcoholic beverage.
ADMINISTRATIVE FINE \$250 PAID.
- g. Hatch Convenience Store, 85 Runnells Bridge Road, Hollis, NH.
Combination License #729347.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 6/27/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- h. Hollis Country Store, 436 Silver Lake Road, Hollis, NH.
Restaurant Beverage and Wine License #1330903.
Licensed pursuant to RSA 178:20.
Cited for violation of RSA 179:27 - did allow alcoholic beverage to be consumed in unapproved areas.
ADMINISTRATIVE FINE \$250 PAID.
- i. McCue's Billiards & Sports Lounge, 12 Emerald Street, Keene, NH.
Sports Recreation Facility License #2503405.
Licensed pursuant to RSA 178:22, V(m).
Cited for violation of RSA 179:50, I - did allow an intoxicated person to loiter on the premise.
ADMINISTRATIVE FINE \$250 PAID.
- j. Najib's Pizza Place, Henniker Street, Hillsboro, NH.
Combination License #852047.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 7/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

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- k. Old Field Vineyards, 59600 Main Street, Southold, NY.
Direct Shipper License #8110333.
Licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V - did fail to file the May 2008 Direct Shipper report by June 10, 2008.
ADMINISTRATIVE FINE \$100 PAID.
- l. Optima Wine Cellars, 498 Moore Lane, Unit C, Healdsburg, CA.
Direct Shipper License #8092933.
Licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V - did fail to file the May 2008 Direct Shipper report by June 10, 2008.
ADMINISTRATIVE FINE \$100 PAID.
- m. Railroad Tavern, 82 Main Street, Keene, NH.
Full Service Restaurant License #1202603.
Licensed pursuant to RSA 178:21, II(a).
Cited for violation of RSA 179:50, I - did allow an intoxicated person to loiter on the premise.
Cited for violation of RSA 179:51 - did fail to conduct the premise in an orderly manner.
ADMINISTRATIVE FINES \$500 PAID.
- n. Sampan, 356-A West Main Street, Hillsboro, NH.
Full Service Restaurant License #451403.
Licensed pursuant to RSA 178:21, II(a).
Cited for violation of RSA 179:5, I.
Compliance Check 7/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- o. Wally & Bernie's, 20 Old Granite Street, Manchester, NH.
Restaurant Full Service With Lounge License #1359203.
Licensed pursuant to RSA 178:22, V(q).
Cited for violation of RSA 179:51 - did fail to conduct the premise in an orderly manner.
ADMINISTRATIVE FINE \$250 PAID.
- p. Weirs Beach Smokehouse, 38 Endicott Street, Laconia, NH.
Restaurant Full Service With Lounge License #1081203.
Licensed pursuant to RSA 178:22, V(q).
Cited for violation of RSA 179:20, II - did allow an employee to consume alcoholic beverage while working.
ADMINISTRATIVE FINE \$100 PAID.
- q. West Main Market, 192 West Main Street, Hillsboro, NH.
Combination License #3136847.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 7/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

9. **NEW LICENSES:**

- a. Athena's Pizzeria & Eatery LLC,
22 Ash Street, Hollis, NH 03049.
To be issued Restaurant On-Premise Beverage/Wine License #1364503
pursuant to RSA 178:20.
Recommendation: Approval.

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- b. Gomez, Jorge DBA Novedades El Paisano,
74 West Hollis Street, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage/Wine License #3225647
pursuant to RSA 178:18.
Recommendation: Approval.
- c. Mission's End, Inc.,
302 Newmarket Street, Building 149, Portsmouth, NH 03803.
To be issued Military Club on Premise Cocktail Lounge License #92136
pursuant to RSA 178:22, V(g).
Recommendation: Approval issued effective 7/18/08.
- d. Province Shores LLC,
36 Remmick Road, Effingham, NH 03882.
To be issued Combination Off-Premise Beverage/Wine License #3225347
pursuant to RSA 178:18.
Recommendation: Approval.

10. **REQUESTS FOR SOLICITORS/REPRESENTATIVE AND DIRECT SHIPPER APPLICATION:**

- a. Berniko LLC,
8600 NW 30th Terrace, Miami, FL 33122.
To be issued Liquor/Wine Vendor Off-Premise Wine/Liquor License #994445
pursuant to RSA 178:9.
Recommendation: Approval.
- b. Chateau Morrisette, Inc.
387 Winery Road, Floyd, VA 24091.
To be issued Direct Shipper License #8129633 pursuant to RSA 178:27.
Recommendation: Approval.
- c. Godard, Andrea, DBA Wines and Makers,
1470 Grove Street, Healdsburg, CA 95448.
To be issued Direct Shipper License #8129733 pursuant to RSA 178:27.
Recommendation: Approval.
- d. Grape Visions LLC DBA Dusted Valley Vintners,
1248 Old Milton Highway, Walla Walla, WA 99362.
To be issued Direct Shipper License #8129433 pursuant to RSA 178:27.
Recommendation: Approval.
- e. Hunt Country Vineyards LLC,
4021 Italy Hill Road, Branchport, NY 14418.
To be issued Direct Shipper License #8129533 pursuant to RSA 178:27.
Recommendation: Approval.
- f. Sparkling Oregon! LLC, DBA R Stuart & Co.,
845 NE 5th Street #100, McMinnville, OR 97128.
To be issued Liquor/Wine Vendor Off-Premise Wine/Liquor License #994345
pursuant to RSA 178:9.
Recommendation: Approval.

11. LICENSEE PETITION FOR COMMISSION APPROVAL:

- a. Amherst Country Club, Inc, DBA Amherst Clam Shack,
55 Ponemah Road, Amherst, NH 03031.
Restaurant On-Premise Beverage/Wine License #1355703.
Licensed pursuant to RSA 178:20.
Requests approval for an outside area, to wit, an outside deck and patio area appropriately sanctioned off with a seating capacity of 59 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/14/08 per Major Feyrer.
- b. BW National Resort Management LLC DBA Bretton Woods Ski Area,
Route 302, Bretton Woods, NH 03575.
Restaurant On-Premise Beverage/Wine/Liquor License #1324803.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an area adjacent to the ski lodge appropriately sanctioned off with a seating capacity of 168 requested for July 5, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/03/08 per Major Feyrer.
- c. Baas, Sarah DBA Beaver Meadow Bar and Grille,
1 Beaver Meadow Street, Concord, NH 03301.
Sports Recreation Facility On-Premise Cocktail Lounge License #6003905.
Licensed pursuant to RSA 178:22, V(v).
Requests approval for outside areas, to wit, an outside tented area appropriately sanctioned off requested for July 24, 2008 and August 6, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/14/08 per Major Feyrer.
- d. Baliwicks LLC DBA Baliwicks Fine Restaurant Wine & Martini Bar,
111 Main Street, Littleton, NH 03561.
Restaurant On-Premise Cocktail Lounge License #1340703.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside patio area appropriately sanctioned off with a seating capacity of 22 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/16/08 per Major Feyrer.
- e. Boston Culinary Group, Inc.,
719 Cherry Valley Road, Gilford, NH 03246.
Sports Recreation Facility On-Premise Cocktail Lounge License #572305.
Licensed pursuant to RSA 178:22, V (v).
Requests approval for outside areas, to wit, an outside area appropriately sanctioned off requested for July 18 through July 20, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/16/08 per Major Feyrer.
- f. Cu Na Mara Corporation DBA Cu Na Mara Restaurant,
11 Hobart Road, Bristol, NH 03222.
Restaurant On-Premise Beverage/Wine/Liquor License #1216203.
Licensed pursuant to RSA 178:21.
Requests approval for outside areas, to wit, an additional outside tented area appropriately sanctioned off requested for August 2 & 3, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.

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- g. G & E Restaurant & Pub LLC DBA Palmer's Tavern & George's Pizza and Seafood, 487 South Stark Highway, Weare, NH 03281.
Restaurant On-Premise Cocktail Lounge License #1348703.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside deck and horse shoe pit area appropriately sanctioned off with a seating capacity of 40 requested from July 2008 through October 14, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/8/08 per Major Feyrer.
- h. Highland Mountain Bike Park, Inc.,
75 Ski Hill Road, Northfield, NH 03276.
Restaurant On-Premise Beverage/Wine License #1328803.
Licensed pursuant to RSA 178:20.
Requests approval for an outside area, to wit, an outside back yard area appropriately sanctioned off with a seating capacity of 468 requested for July 25-27, 2008, August 22-24, 2008, September 19-21, 2008, October 3-5, 2008, and November 14 and 15, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/11/08 per Major Feyrer.
- i. Inspirational Properties LLC DBA Whitney's Inn/Shovel Handle Pub, 357 Black Mountain Road, Jackson NH 03846.
Restaurant On-Premise Cocktail Lounge License #1352503.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside picnic area across the street from the restaurant appropriately sanctioned off with a seating capacity of 100 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 6/27/08 per Major Feyrer.
- j. Jesse's Restaurant, Inc.,
224 Lebanon Street, Route 120, Hanover, NH 03755.
Restaurant On-Premise Cocktail Lounge License #317203.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside patio area appropriately sanctioned off with a seating capacity of 40 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/1/08 per Major Feyrer.
- k. LBO Holding, Inc. DBA Attitash/Bear Peak Resort,
Route 302, Bretton Woods, NH 03575.
Restaurant On-Premise Beverage/Wine/Liquor License #1009403.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an area adjacent to the ski lodge appropriately sanctioned off requested for August 7-9, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/03/08 per Major Feyrer.
- l. Le Club Alpin De Raquetteur,
175 Putnam Street, Manchester NH 03102.
Social Club On-Premise Cocktail Lounge License #10301.
Licensed pursuant to RSA 178:22, V(h).
Requests approval for an outside area, to wit, an outside back parking lot area appropriately sanctioned off with a seating capacity of 200 requested for August 3, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.

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- m. Liam Shaws LLC,
87 Wallace Hill Road, Franconia, NH 03580.
Restaurant On-Premise Beverage/Wine/liquor License #1352403.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an outside deck area appropriately sanctioned off with a seating capacity of 36 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- n. May Kelly's LLC DBA May Kelly's Cottage,
3002 White Mountain Highway, North Conway, NH 03860.
Restaurant On-Premise Cocktail Lounge License #1270803.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside area beyond the patio appropriately sanctioned off with a seating capacity of 150 requested for August 3, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- o. Roger and Lavina Maykut DBA North Country Orchard,
35 Stickney's Road, Whitefield, NH 03598.
Wine Manufacturer Off-Premise Wine Only License #561630.
Licensed pursuant to RSA 178:8.
Requests approval for Authorization of other areas, to wit, Bethlehem Farmers' Market, Bethlehem, NH requested for July 16, 23, 30, August 6, 13, 20, 27, September 3, 10, 27, 24, and October 1 and 8, 2008; Licensee will provide adequate security for product pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- p. 900 Degrees LLC,
50 Dow Street, Manchester, NH 03101.
Restaurant On-Premise Cocktail Lounge License #1334803.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside deck area appropriately sanctioned off with a seating capacity of 32 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/23/08 per Deputy Chief Dunn.
- q. Peterborough Diner LLC,
10 Depot Street, Peterborough, NH 03458.
Restaurant On-Premise Beverage/Wine License #1250103.
Licensed pursuant to RSA 178:20.
Requests approval for an outside area, to wit, an outside patio area appropriately sanctioned off with a seating capacity of 40 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- r. RCY Associates, DBA The Old Courthouse,
30 Main Street, Newport, NH 03773.
Restaurant On-Premise Beverage/Wine/Liquor License #1253103.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an outside concrete pad area appropriately sanctioned off with a seating capacity of 75 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.

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- s. RM Resort Management LLC,
620 Ragged Mountain Road, Danbury, NH 03230.
Sports Recreation Facility On-Premise Cocktail Lounge License #6010505.
Licensed pursuant to RSA 178:22, V(v).
Requests approval for outside areas, to wit, an outside area adjacent to the
ski lodge appropriately sanctioned off with seating for 2,050 on dates
requested from July 26 through September 20, 2008 pursuant to RSA 178:24 and
Liq. 404.05.
Recommendation: Verbal approval given for July dates on 7/14/08 per
Major Feyrer.
- t. Rochester Country Club,
138 Church Street, Rochester, NH 03867.
Sports Recreation Facility On-Premise Cocktail Lounge License #13805.
Licensed pursuant to RSA 178:22, V(v).
Requests approval for outside areas, to wit, an outside tented area
appropriately sanctioned off with seating for 40 on dates requested from
July 11 through July 13, 2008 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/1/08 per Major Feyrer.
- u. Rochester Country Club,
138 Church Street, Rochester, NH 03867.
Sports Recreation Facility On-Premise Cocktail Lounge License #13805.
Licensed pursuant to RSA 178:22, V(v).
Requests approval for outside areas, to wit, an outside putting green area
appropriately sanctioned off on dates requested from July 11-13, 2008
pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/10/08 per Major Feyrer.
- v. Salmon Falls Grocery & Deli LLC,
38 Front Street, Rollinsford, NH 03869.
Combination Off-Premise Beverage/Wine License #3075147.
Requests approval for Authorization to Transfer business location, to
wit, to close the current business on July 15, 2008 then transfer the
business and supplies from 683 Main Street, Rollinsford, NH to the new
location at 38 Front Street, Rollinsford, NH; to be completed on or before
July 15, 2008 pursuant to RSA 178:29, VIII.
Recommendation: Verbal approval given on 7/14/08 per Major Feyrer.
- w. SIA Power LLC DBA Northwoods Lodge,
381 Lancaster Road, Whitefield, NH 03598.
Restaurant On-Premise Cocktail Lounge License #1366003.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for an outside area, to wit, an outside deck area
appropriately sanctioned off with a seating capacity of 20 pursuant to
RSA 178:24 and Liq. 404.05.
Recommendation: Verbal approval given on 7/23/08 per Deputy Chief Dunn.

12. COMMISSION DECISIONS PENDING:

- a. Haluwa Restaurant, 44 Gusabel Avenue, Nashua, NH.
Restaurant Full Service With Lounge License #416503.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an intoxicated person.
Date of violation: January 11, 2008.
Hearing date: February 25, 2008.
Commission Decision dated March 14, 2008: An Administrative fine of \$1,000, four (4) points assessed to the liquor license, and the license to sell alcoholic beverages suspended for three (3) consecutive days.
The Licensee filed a Motion for Re-hearing on April 8, 2008.
The Bureau of Enforcement filed its Objection to Motion for Re-hearing on May 6, 2008.

- b. Henniker Junction Restaurant, 24 Weare Road, Henniker, NH.
Restaurant Full Service With Lounge License #1167803.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:50, II - did allow the premise to be used for any purpose that was contrary to law.
Date of violation: February 7, 2008.
Hearing date: April 23, 2008.

- c. C & K Restaurant, 3 East Broadway Street, Derry, NH.
Restaurant Beverage and Liquor License #256803.
Licensed under RSA 178:21, II(a)(1).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an underage person during a compliance check.
Date of violation: May 30, 2008.
Hearing date: July 22, 2008.

- d. Standing Stone Vineyards, 9934 Route 414, Hector, NY.
Direct Shipper License #8086533.
Licensed under RSA 178:27.
Cited for violation of RSA 178:27, V - did fail to file a Direct Shipper Report by the 10th of the following month.
Date of violation: February 25, 2008.
Hearing date: July 22, 2008.

13. COMMISSION DECISIONS AFTER HEARING:

14. MISCELLANEOUS ITEMS:

- a. Questions from Auditing regarding the collection of taxes at NH wineries as follows:

1. 5 % tax on all retail sales at the winery and farmer's markets.
2. 5% tax on wholesale sales to NH Licensees for resale.

Taxes are not being collected on sales to the NH Liquor Commission, on sales to out-of-state vendors, and on product used for tasting at the winery. Is this correct based on your reading of the statute?

Taxes are being collected on product used for sampling and tasting outside the winery and on products shipped directly to out-of-state consumers or retail businesses (direct shipments). Is this correct procedure as you read the law?

Does this agree with your reading of the winery statute or are there are areas of concern? I am requesting a review due to the increase in direct shipments to out-of-state individuals and businesses which are outside the normal wholesale channels.

TABLED BY THE COMMISSION ON MAY 28, 2008 UNTIL CHAIRMAN BODI IS AVAILABLE FOR DISCUSSION.

- b. A-Cubed, Inc. DBA The 103 Restaurant,
103 North Main Street, Rochester, NH 03839.
Restaurant On-Premise Cocktail Lounge License #1289703.
Licensed pursuant to RSA 178:22, V(q).
Requests approval to return a large amount of unused liquor to the State store where it was purchased as they went out of business on July 9, 2008.
Recommendation: To be discussed.
- c. Blood's Catering & Party Rentals, Inc.,
45 Lyme Road, Unit 25, Route 10, Hanover, NH 03755.
Caterers Off Site On-Premise Cocktail Lounge License #1274534.
Licensed pursuant to RSA 178:22, V(e).
Requests approval to contract for bartender services only at a private residence without supplying the alcohol for an event on August 1, 2008.
Recommendation: To be discussed.
- d. Tommy's Sports Corner LLC,
Restaurant On-Premise Beverage/Wine/Liquor License #1364303.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an outside patio area appropriately sanctioned off with a seating capacity of 16 pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: To be discussed.
- e. Dover Restaurant Group, Inc. DBA Tio Juan's Margaritas Mexican Restaurant,
23 Members Way, Dover, NH 03820.
Restaurant On-Premise Cocktail Lounge License #1357503.
Licensed pursuant to RSA 178:22, V(q).
Requests approval to keep invoices at other location, to wit, to keep invoices and delivery slips at the corporate office, 200 Griffin Road, Suite 1, Portsmouth, NH, pursuant to RSA 179:35.
Recommendation: Approval.
- f. Commission vote to approve 900 rules for credit.

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- g. Commission to approve initial proposal language for 300 rules and set a public hearing date for them; public hearing cannot be less than 45 days from date of commission vote.

15. **EXECUTIVE SESSION ITEMS:**